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12 Proposed Special Counsel to Richard A. Marshack,
13 Chapter 11 Trustee

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UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA
SANTA ANA DIVISION

In re:

THE LITIGATION PRACTICE GROUP P.C.,
Debtor.

Case No.: 8:23-bk-10571-SC

Chapter 11

**NOTICE OF FINAL HEARING ON
TRUSTEE'S EMERGENCY MOTION
(I) FOR ENTRY OF INTERIM ORDER:
(A) AUTHORIZING THE TRUSTEE TO
OBTAIN POST-PETITION FINANCING
AND SUPERPRIORITY
ADMINISTRATIVE EXPENSE CLAIM
PURSUANT TO 11 U.S.C. § 364; AND
(B) SETTING FINAL HEARING; AND
PURSUANT TO FINAL HEARING,
(II) FOR ENTRY OF FINAL ORDER
APPROVING POST-PETITION
FINANCING ON A FINAL BASIS**

Date: July 20, 2023

Time: 9:30 a.m.

Judge: Hon. Scott C. Clarkson

Place: Courtroom 5C

411 W. Fourth Street
Santa Ana, CA 92701

**TO THE HONORABLE SCOTT C. CLARKSON, UNITED STATES BANKRUPTCY
JUDGE, THE OFFICE OF THE UNITED STATES TRUSTEE, AND ALL SCHEDULED
CREDITORS AND THEIR COUNSEL OF RECORD:**

NOTICE IS HEREBY GIVEN that, on June 16, 2023, Richard A. Marshack, the Chapter 11 Trustee (the "Trustee") for the bankruptcy estate of The Litigation Practice Group P.C. (the "Debtor") in the above-captioned bankruptcy case (the "Case"), filed a motion (the "Motion"), on an emergency basis, for entry of an interim order and final order (1) authorizing the Trustee to obtain superpriority financing, (2) scheduling a final hearing; and (3) granting related relief, as further described in the Motion.

NOTICE IS FURTHER GIVEN that, on June 20, 2023, on the 3:00 p.m. calendar, in Courtroom 5C of the United States Bankruptcy Court, located at 411 West Fourth Street, Santa Ana, California 92701, the Honorable Scott C. Clarkson, United States Bankruptcy Judge, conducted an interim hearing on the Motion. Following the hearing, on June 22, 2023, the Court entered the *Interim Order Granting Emergency Superpriority Financing by the Chapter 11 Trustee* [Docket No. 131] (the "Interim Order"), thereby granting the Motion on an interim basis.

NOTICE IS FURTHER GIVEN that a hearing to consider the Motion on a final basis will take place at the same location on **July 20, 2023, at 9:30 a.m.**

NOTICE IS FURTHER GIVEN that the Motion is made pursuant to 11 U.S.C. §§ 105(a), 363, and 364 and Rules 4001 and 9014 of the Federal Rules of Bankruptcy Procedure on the grounds that the requested relief is necessary to preserve the value of the Debtor's business by paying both legal and nonlegal costs to operate the business and paying past due expenses including payroll, DebtPayPro software, mail services, and refunds. Nothing therein will allow or authorize the payment of any of the Estate's professional fees, and all expenses must be approved by the Trustee.

NOTICE IS FURTHER GIVEN that the Motion is based on (a) the Notice of Motion and Motion, Memorandum of Points and Authorities, and Declaration of Richard A. Marshack, (b) the pleadings on file in this Case and related adversary proceeding of which the Court is requested to take judicial notice, and (c) such other pleadings and evidence as may be properly submitted in connection with the Motion.

1 **NOTICE IS FURTHER GIVEN** that, pursuant to Local Bankruptcy Rule 9013-1(f), any
2 response or opposition to the Motion must be (i) in writing and include a complete written statement
3 of all reasons in opposition thereto or in support or joinder thereof, declarations and copies of all
4 photographs and documentary evidence on which the responding party intends to rely and any
5 responding memorandum of points and authorities, and (ii) filed with the Court and served on the
6 Trustee, the Debtor, and the Office of the United States Trustee no later than 14 days prior to the
7 hearing on this Motion.

8 **NOTICE IS FURTHER GIVEN that, pursuant to Local Bankruptcy Rule 9013-**
9 **1(h), the failure to file and serve a timely response to the Motion may be deemed by the Court**
10 **to be consent to the granting of the relief requested in the Motion.**

11
12 Dated: June 26, 2023

Respectfully submitted,

DINSMORE & SHOHL LLP

13
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15 By: /s/ Jonathan Serrano
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19 Proposed Special Counsel to Richard A. Marshack,
20 Chapter 11 Trustee
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PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is: 655 W. Broadway, Suite 800, San Diego, California 92101

A true and correct copy of the foregoing document entitled (*specify*):

Notice of Final Hearing on Trustee's Emergency Motion (I) for Entry of Interim Order: (A) Authorizing the Trustee to Obtain Post-Petition Financing and Superpriority Administrative Expense Claim Pursuant to 11 U.S.C. § 364; and (B) Setting Final Hearing; and Pursuant to Final Hearing, (II) for Entry of Final Order Approving Post-Petition Financing on a Final Basis will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On June 26, 2023, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

☒ Service information continued on attached page

2. SERVED BY UNITED STATES MAIL:

On June 26, 2023, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

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☒ Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on June 26, 2023, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

JUDGE'S COPY

The Honorable Scott C. Clarkson
United States Bankruptcy Court
Central District of California
Ronald Reagan Federal Building and Courthouse
411 West Fourth Street, Suite 5130 / Courtroom 5C
Santa Ana, CA 92701-4593

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

June 26, 2023

Date

Jonathan Serrano

Printed Name

/s/ Jonathan Serrano

Signature

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